

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

DEC 17 2019



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PANKAJ R. PATEL,

Plaintiff,

v.

WINTHROP UNIVERSITY HOSPITAL,

Defendant.
-----X

BROOKLYN OFFICE

DECISION & ORDER
18-CV-683 (WFK)(LB)

WILLIAM F. KUNTZ, II, United States District Judge:

On January 31, 2018, Pankaj J. Patel (“Plaintiff”), proceeding *pro se*, commenced this action against Winthrop University Hospital (“Defendant”). *See* Compl., ECF No. 1. Giving the Complaint the broadest possible reading, the Court construes Plaintiff as asserting claims of (1) disability discrimination, (2) religious discrimination, and (3) interference and retaliation in violation of the Family Medical Leave Act (“FMLA”), and (4) retaliation. Before the Court is Defendant’s motion to dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. *See* Mot. to Dismiss, ECF No. 16. Plaintiff opposes the motion. *See* Ltr. in Opp. of Mot. to Dismiss, ECF No. 17.

Upon careful review of the motion papers filed in this action, and construing all factual allegations in a light most favorable to Plaintiff, the Court finds Plaintiff has failed to state a claim upon which relief can be granted, even construing his papers “to make the strongest arguments they suggest.” *See Harris v. Mills*, 572 F.3d 66, 72 (2d Cir. 2009); *see also Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)) (“[A] complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’”).

Accordingly, Defendant's motion to dismiss is hereby GRANTED in its entirety. The Clerk of Court is respectfully directed to terminate the pending motion at ECF No. 16 and to close this case.

SO ORDERED.

s/WFK

HON. WILLIAM F. KONTZ, II
UNITED STATES DISTRICT JUDGE

Dated: December 12, 2019
Brooklyn, New York